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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/686,655	10/17/2003	Wen-Hai Tsao		1768

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WEN-HAI TSAO  
P. O. Box 697  
Feng-Yuan City  
Taichung Hsien, 420  
TAIWAN

EXAMINER

NGUYEN, GEORGE BINH MINH

ART UNIT PAPER NUMBER

3723

DATE MAILED: 08/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/686,655	<b>Applicant(s)</b> TSAO, WEN-HAI	
	<b>Examiner</b> George Nguyen	<b>Art Unit</b> 3723	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

### DETAILED ACTION

This application has been filed with formal drawings which are accepted by the examiner.

Claims 1-4 are presented for examination.

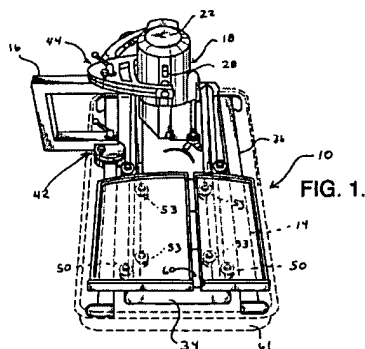
#### *Specification*

1. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: the limitations of “a second protrudent screw hole on the other side” is not clearly described in the specification. Is the tubular screw hole 53 considered the second protrudent screw hole?.

#### *Allowable Subject Matter*

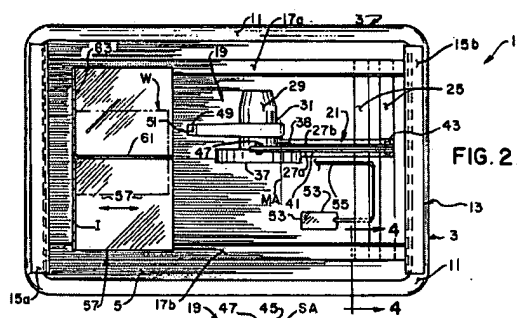
2. Claims 1-4 are allowed.

3. The following is an examiner's statement of reasons for allowance: the specific limitations of “said second outer longitudinal bar ... on the other side” in the combination as claimed in claim 1 are not anticipated nor made obvious by the prior art of record in the examiner's opinion. For example, Greenland'6,276,990 discloses tile saw having an outer longitudinal sliding bar 36 supporting a C-shaped supporting arm 16.



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With reference to Figure 2, Sigetich et al.'4,428,159 discloses portable, direct drive abrasive saw having a saw support 21 at the end of frame 13 adjacent end member 15b.



Further, portable saw 1 of the present invention includes a unitary, direct drive, rotary saw assembly, as generally indicated at 19, fixedly positioned by frame 13. The frame includes a saw support, as generally indicated at 21, at the end of the frame adjacent end member 15b. Saw support 21 is shown to comprise a pair of vertical supports 23 spaced apart from one another and at each side of the frame secured (e.g., welded) to respective rail members 17a, 17b and extending vertically above the upper edge of the vertical flange of the rail members. Horizontal support members 25 extend transversely of the frame from the upper end of one vertical support member 23 to the upper end of a corresponding vertical support member on the opposite side of the frame. Again, vertical members 23 and horizontal members 25 are of angle iron construction and the horizontal transverse members 25 are oriented so as to have their upper flanges in generally horizontal position and vertical flanges extending downwardly with the horizontal upper flanges constituting a generally planar mounting surface.

However, the prior art of record fails to provide or suggest the specific limitations of the specific limitations of "said second outer longitudinal bar ... on the other side" in the combination as claimed in claim 1.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Lee'124 and '188, Fuhrman et al.'127 and '140, Tsao'244, Lee'961, Hulett'218, Swan'193, Maluck'829, Harclerode'206 all disclose portable saw with C-shaped support frame.

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5. This application is in condition for allowance except for the following formal matters:

The objection to the specification indicated above.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Nguyen whose telephone number is 703-308-0163. The examiner can normally be reached on Monday-Friday/630AM-300PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Hail can be reached on 703-308-2687. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


George Nguyen  
Primary Examiner  
Art Unit 3723

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GN – August 16, 2004

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George Nguyen  
Primary Examiner